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Statewide Witness Protection Program

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Jim Edgar, Governor
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Introduction

In order to address the increasing problem of youth gang violence in Illinois, Governor James Edgar established the Governor's Commission on Gangs. As a result of public hearings, the Governor's Commission on Gangs forwarded a recommendation to the legislature regarding the establishment of a law to protect witnesses of gang related crimes.

On May 23, 1996, the House and Senate passed House Bill 3448 creating the Gang Crime Witness Protection Act. The Act, which was signed into law on July 1, 1996, by Governor James Edgar, will provide law enforcement with yet another tool to aid in the effort to address gang crime.

The Illinois State Police, in collaboration with the office of the Attorney General, the associations of the State's Attorneys, Sheriffs' offices and Chiefs of Police, has developed the mechanism to administer funds and provide guidance in the areas of witness protection and relocation. The office of Witness Protection Coordinator has been established to ensure support for and compliance with the legislation.

In summary, the Gang Crime Witness Protection Act will partially reimburse money expended by the Attorney General or the State's Attorneys for the protection and relocation of a victim, witness or family member who aids in the prosecution or investigation of a gang-related crime occurring after July 1, 1996. The law allows for reimbursement of funds only to the State's Attorneys or the office of the Attorney General.

Procedures

A. Illinois State Police shall:

1. Receive, review, and evaluate reimbursement requests for completeness and accuracy and ensure that verification is submitted for all expenditures claimed; and
2. Arrange for the disbursement of monies from the Gang Crime Witness Protection Fund as authorized by the Director of the Illinois State Police.

B. Submission of Requests for Reimbursement

1. Only the Illinois Attorney General and the State's Attorney of any Illinois county may request reimbursement under the Act;
2. All requests for reimbursement must be submitted by application and submitted to the Witness Protection Coordinator.
3. Requests for reimbursement must include receipts or equivalent documentation verifying expenditures; and
4. Requests shall be made individually for each victim/witness.

C. Matching Funds

The county initiating a request must fund at least 25 percent of any expenditure for which reimbursement is requested. This matching contribution may be waived by the Director of the Illinois State Police upon showing good cause.

D. Processing of Applications for Reimbursement

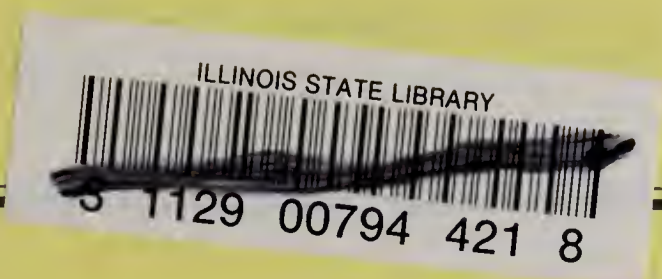
1. Applications for reimbursement will not be approved:
 - a. If an active, enforceable felony warrant is on file for the victim/witness;
 - b. If relocation of the victim/witness will violate the provisions of the subject's probation, parole, supervision or other form of conditional release;
 - c. If the victim/witness is required to register or is registered in accordance with the provisions of the Sex Offender Registration Act;
 - d. If the most recent related gang crime took place prior to July 1, 1996;
 - e. If the victim/witness has not delivered sworn testimony at trial before a grand jury or during other official proceedings or otherwise delivered substantial assistance in furtherance of prosecution; and
 - f. If a completed application form is not submitted.
 2. Incoming applications will be reviewed:
 - a. Minor defects/omissions may be corrected verbally by telephone; and
 - b. Applications which contain any of the disqualifying conditions cited above will be returned to the submitting agency with an accompanying letter of explanation.
 3. The final approval of the Director of the Illinois State Police will be sought for all
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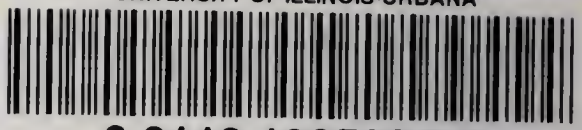
applications which comply with submission requirements, and upon authorization, notification shall be provided to the requesting prosecutorial authority and a request for disbursement of funds will be initiated by the Illinois State Police.

Reimbursement will be awarded and estimated expenditures obligated in the order received. In the event requests exceed available funds, the Director may award reimbursement out of chronological order to address life-threatening or other extraordinary circumstances.

E. Technical Assistance

1. State's Attorneys and the Attorney General may request the Illinois State Police to provide guidance in protecting and relocating a victim/witness.
2. If protection and relocation of the victim/witness would qualify for reimbursement as described above, the Illinois State Police will provide guidance when requested and to the extent the Director determines State Police resources are available.
3. Guidance may include information regarding appropriate relocation destinations, how to structure travel and moving arrangements and methods of providing personal protection for the victim/witness.
4. All requests for information shall be made to the Witness Protection Coordinator.





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Often Asked Questions

Where can I find the actual bill?

*Gang Crime Witness Protection Act
House Bill 3448*

Who can apply for reimbursement?

*State's Attorneys or the office of the Attorney
General*

How much money is available?

*The maximum allotment for any one county can
not exceed 50% of the total legislative allotment
of \$666,000.*

What type of expenses can be reimbursed?

- Temporary Living*
- Moving expenses*
- Rent*
- Security deposits*
- Other appropriate expenses of relocation or
transition*

